



Read This Page!

Do You Have All the Forms You Need to File Your Claim?

You do if you are filing the claim as an individual.

If you are a business and you are doing business under a fictitious name, you will also need a *Fictitious Business Name Declaration, Form SC-103*.

After reading all the attached instructions you should be able to complete the forms necessary to file your claim without any problem. In most cases you will only need to complete page 2 of 5 and 3 of 5 of the SC-100 to start your claim.

If your claim has more than two Plaintiffs or Defendants you will need to add form SC-100A to your claim. Please note a husband and wife are two separate persons and must be listed on separate lines.

All 5 pages of the SC-100 and any attachments must be returned to the court clerk for filing.

If you need the *Proof of Service, form SC-104* you will need to request it from the clerk, or, the Resource Center.

The answers to many commonly asked questions and instructions on completing the SC-100 and other forms can be found on the court's self help website: www.courtinfo.ca.gov or www.ezlegalfile.org. If you still have questions you can call or visit the Small Claims Advisor at (800) 634-9085, or, by email at smallclaims@courts.sbcounty.gov.

**NOTE: Plaintiff's Claim (SC-100) must be typed or printed neatly using black ink.
Return the "Original" and your copies to the clerk for filing.**

Filing Fees



Claims for \$1,500.00 or less	\$30.00
Claims from \$1,500.01 to \$5,000.00	\$50.00
Claims from \$5,000.01 to \$7,500.00	\$75.00
Persons or Business who have filed more than 12 claims in CA in the previous 12 mos.	\$100.00
Service of Documents by Certified Mail	\$10.00 (per defendant)
Notice of Appeal	\$75.00
Writ	\$15.00
Abstract	\$15.00
Order of Examination	\$40.00
Motion to Vacate	\$20.00
Request to Postpone Hearing	\$10.00

Service

If the Defendant resides in San Bernardino County, he/she must be personally served no later than fifteen (15) days prior to the court date or substitute served twenty-five (25) days prior. If the Defendant lives outside the county, they must be personally served no later than twenty (20) days prior to the court date. If the person you are serving is not home, you can leave the documents with a person 18 years or older. This is called substituted service and must be done thirty (30) days prior. Every Defendant should be served, and, a separate *Proof of Service* must be filed for each Defendant.

***Your case will not be heard unless you serve, and, file your completed Proof of Service at least 5 Days before the hearing date!**

Reset for Service

If you are unable to serve the Defendant(s) with the Plaintiff's Claim and Order before the court date you must request a reset. The clerk's office may reset your case two times. All copies of the Plaintiff's Claim and Order must be returned to the court when requesting a reset. There is no charge to reset your hearing date. If you do not reset your case at least five (5) days before the court date, or, appear at the hearing, the court will dismiss your case without prejudice. You will receive no further notice regarding this dismissal. If the court dismisses your case, you will have to start your case over. Please note there is no charge for your first request to reset; however, a \$10.00 charge applies to any additional request.

Request to Postpone Small Claims Hearing

Request for continuance must be made in writing at least ten (10) days before the court date. You can only request one continuance by the clerk. The court will charge a \$10.00 fee for rescheduling your hearing.

Complete the Request to Postpone Small Claims Hearing (SC-110), and, serve by mail a copy to all parties in the case. Return the "original" request and a copy to the court for filing. Include

with your request your \$10.00 fee and a self-addressed stamped envelope. The clerk will set a new date and notify you of the date by mail.

NAMING OF DEFENDANT

If you are suing a business, you will need to properly name their business. A company name by itself does not properly identify a party. You must also have the correct information of who to serve documents at the business.

To properly name the business you will need to know if the business is a sole proprietorship, a partnership, or a corporation. You can generally find this information by business licensing for the city where the business is located. If the business is a corporation, you will need to know the name of the officer of the corporation, President, Vice-President, Secretary, or Treasurer. If you do not have the name of one of the corporate officers, you can locate their Agent for Service of Process on the California Secretary of State website: www.ss.ca.gov.

INTERPRETERS

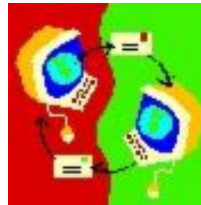
You must provide your own interpreter if one is needed for Small Claims Court.
Usted debe proporcionar a su propio intérprete si uno es necesario en corte.

SMALL CLAIMS ASSISTANCE

Still have questions, you can receive assistance with your claim three ways:



By Phone:
(800) 634-9085



By Email:
smallclaims@courts.sbcounty.gov

In-Person:
The Small Claims Advisor is available to assist you in person at:
The San Bernardino Resource Center
303 W. 3rd St., Lower Level
San Bernardino, CA 92415
Mon- Thursday 8:00 am – Noon / 1:00-4:00 pm



Please use this form to dismiss your claim if it is settled before the hearing date. Return this form to the Court.

Short Title: _____ VS. _____			Case Number: _____
Hearing Date: ____/____/____	Time: _____	Dept: _____	

REQUEST FOR DISMISSAL

TO THE CLERK:

Please dismiss (check one box):

☐ Entire Action ☐ Plaintiff's Claim Only ☐ Defendant's Claim Only

as follows (check one box):

☐ WITH PREJUDICE (You cannot sue the same defendant again for the same cause of action.)

☐ WITHOUT PREJUDICE (You may sue again on the same cause of action.)

Dated: _____

Signature of Plaintiff

Print Name: _____

If a Defendant's Claim has been filed, the Defendant must also sign to dismiss the entire action.

Dated: _____

Signature of Defendant

Print Name: _____

REQUEST FOR DISMISSAL